

# *APPROVED*

## **VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES**

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**Thursday, January 5, 2012**

**Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300**

**Henrico, Virginia**

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 9:10 a.m.

**MEMBERS PRESENT:** Stuart Mackler, M.D., Chair  
Karen Ransone, M.D.  
Jane Maddux

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixon, Discipline Case Manager  
J. Fielding Yelverton, Adjudication Specialist

**MATTER:** **Kerry Franq Moore, M.D.**      **License No.: 0101-240861**  
**Case Nos.: 126804, 130858**

**DISCUSSION:** Dr. Moore appeared before the Committee in person in accordance with a Notice of the Board dated December 1, 2011. Dr. Moore was represented by Robert Galumbeck, Esquire.

The Committee fully discussed the allegations in the Notice with Dr. Moore.

**CLOSED SESSION:** Upon a motion by Ms. Maddux, and duly seconded by Dr. Ransone, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Moore. Additionally, she moved that Ms. Deschenes and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Ransone, and duly seconded by Ms. Maddux, the Committee made certain Findings of Fact and Conclusions of Law and voted to issue Dr. Moore a reprimand and subject his license to certain terms and conditions.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 1:11 p.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Moore, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Moore, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.*

  
Stuart Mackler, M.D.

Chair

Date

  
William L. Harp, M.D.

Executive Director

Date

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**Thursday, January 5, 2012**

**Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300**

**Henrico, Virginia**

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 1:23 p.m.

**MEMBERS PRESENT:** Stuart Mackler, M.D., Chair  
Karen Ransone, M.D.  
Jane Maddux

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixon, Discipline Case Manager  
Gerald Milsky, Adjudication Specialist

**MATTER:** Frank J. Kadel, D.O. License No.: 0102-201488  
Case No.: 136702

**DISCUSSION:** Dr. Kadel appeared before the Committee in person in accordance with a Notice of the Board dated December 1, 2011. Dr. Kadel was not represented by counsel.

The Committee fully discussed the allegations in the Notice with Dr. Kadel.

**CLOSED SESSION:** Upon a motion by Ms. Maddux, and duly seconded by Dr. Ransone, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Kadel. Additionally, she moved that Ms. Deschenes and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Ransone, and duly seconded by Ms. Maddux, the Committee voted to exonerate Dr. Kadel.

**VOTE:**

The vote was unanimous.

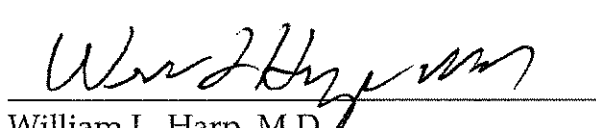
**ADJOURNMENT:**

The Committee adjourned at 2:36 p.m.

  
Stuart Mackler, M.D.

Chair

  
Date

  
William L. Harp, M.D.

Executive Director

  
Date

# *APPROVED*

## **VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES**

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**Thursday, January 5, 2012**

**Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300**

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**Henrico, Virginia**

**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 2:40 p.m.

**MEMBERS PRESENT:** Stuart Mackler, M.D., Chair  
Jane Maddux

**STAFF PRESENT:** Renée S. Dixon, Discipline Case Manager  
J. Fielding Yelverton, Adjudication Specialist

**MATTER:** Alistair R. Erskine, M.D. License No.: 0101-232383  
Case No.: 134516

**PRELIMINARY MATTER:** The Chair noted that Dr. Erskine was not present and the time was 2:41 p.m., and Dr. Erskine had been noticed to appear before the Committee at 9:30 a.m.

Ms. Yelverton advised that the Notice of Informal Conference was sent to Dr. Erskine at his address of record with the board by UPS overnight and 1<sup>st</sup> class mail. Further, the overnight mail was returned with a note indicating that the "receiver moved - return to sender".

**RULING:** Based on the representations of Ms. Yelverton, the Chair ruled that Dr. Erskine had been properly noticed, therefore, the informal conference would proceed in his absence.

**DISCUSSION:** Dr. Erskine did not appear before the Committee in person in accordance with a Notice of the Board dated December 1, 2011, nor was he represented by counsel at the informal conference.

The Committee considered the evidence as contained in the informal conference materials that had been provided to Dr. Erskine.

**DECISION:**

Upon a motion by Ms. Maddux, and duly seconded, the Committee voted to refer this matter to the Board for a formal hearing since suspension or revocation of Dr. Erskine's license may be justified, which is not within the authority of the Committee pursuant to §54.1-2400(10) of the Code of Virginia.


**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 2:43 p.m.

*A formal hearing will be scheduled for a future date for a final determination.*



Stuart Mackler, M.D.

Chair

*Jan 20, 2012*

Date



William L. Harp, M.D.

Executive Director

*1/26/12*

Date